

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.) Criminal No. 13-10048-FDS
)
KING BELIN)
)

JOINT STATUS REPORT

Pursuant to Local Rule 116.5(C), the parties are hereby jointly filing the following status report prepared in connection with the Final Status Conference scheduled for October 9, 2013.

A. Disclosures Required under Local Rule 116.5 (b)(1)-(9)

1. Outstanding Discovery Issues

Automatic discovery was provided in this case by hand on 3/6/13. Discovery produced at that time included: Charging Documents-1, BOP-18, BPD reports received to date-25, Ballistics Reports-39, Latent Print Reports-56, CAD Sheet -110 (turret tape also attached)-61, CAD Sheet for initial fight report-64, Documents regarding attempted interview of defendant post-arrest (CD also attached)-66, Reports referenced in Incident Report-71 Report regarding 2009 gun arrest-80, 9/17/12 Weather-85, ATF Reports-88, Photographs-115 (unnumbered color copy also attached), Grand Jury Exhibits -139 (unnumbered color copy also attached), Historic BPD Reports 153, Prior FIO's-211

Gang database information-214. A copy of the turret tape (cassette) and the attempted interview of the defendant, who chose not make any statements (CD) were also provided attached.

Grand Jury Testimony was provided on March 20, 2013 upon its receipt by the government. To date, no discovery letters or motions have been filed.

2. Additional Discovery to be produced

Other than discovery required under the local rules and supplemental expert disclosures, no party presently anticipates producing or requesting any other additional discovery.

3. Additional discovery requests

No requests are pending. Both parties reserve the right to make additional requests during the progress of the case (suppression and trial).

4. Protective Orders

The parties do not presently anticipate the need for any protective order concerning any victim, witness, defendant or law enforcement sources or techniques.

5. Rule 12(b) Motions

The defendant will file any Motion to Suppress by October 17, 2013. The government requests that it be permitted to respond to that Motion by November 17, 2013. The parties agree to exclude all time until November 17, 2013.

6. Expert Disclosures

As set forth in prior Status Reports, final expert disclosures will be made by the government no later than 21 days before trial and by the defendant no later than 7 days before trial.

7. Defenses

No defenses of insanity, public authority or alibi are anticipated.

8. Speedy Trial Act

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and agree that the following periods are excludable since the defendant's arraignment on 3/6/13:

3/6/13-4/24/12	Excluded per Local rule 112.2(a)(1)
4/24/13-6/25/13	Excluded per Order dated 5-7-13
6/25/13-9/15/13	Excluded per Order dated 6/28/13
8/20/13-10/9/13	Excluded per Order dated 8/21/13
10/9/13-11/17/13	Excluded at the request of the parties as set forth above

The parties agree that, as of the Status Conference on 8/13/13, 0 days will have been counted and 70 days will remain under the Speedy Trial Act.

9. Anticipated Trial/Plea Discussions

Both parties believe that it will be impossible to determine whether the case will need to be tried pending resolution of the defendant's motion to suppress. Any trial is expected to last at least 4-5 days.

B. Disclosures Required under Local Rule 116.5 (c)(1)-(3)

1-3. Transfer of the Case to the District Court

The parties are requesting that the case be sent to the District Court for resolution of the motion to suppress. Once the motion to suppress is heard and resolved, the parties will advise the court as to any further steps that they believe are needed to resolve the case.

All other matters required by LR 116.5 (c)(1)(3) are addressed above.

Respectfully submitted,
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CERTIFICATE OF SERVICE

The government hereby certifies that the foregoing was this day filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants.

/s/ John A. Wortmann, Jr. 10-4-13

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